

**ATTACHMENT A**

**Statement of Facts—United States v. Daniel Lazarte**

*The United States and the Defendant stipulate and agree that if this case proceeded to trial, the United States would prove the facts set forth below beyond a reasonable doubt. They further stipulate and agree that these are not all of the facts that the United States would prove if this case proceeded to trial.*

At all times relevant to this case, the Defendant, **DANIEL LAZARTE** (“LAZARTE”), was a resident of Bethesda, Maryland.

On November 5, 2015, a federal search warrant was executed at the **LAZARTE**’s apartment in Bethesda, Maryland. **LAZARTE** was read and waived his *Miranda* rights and gave an interview.

During his interview, **LAZARTE** admitted that one of his email addresses would have confirmation emails for child pornography groups he joined on the Internet. **LAZARTE** denied sending child pornography to others. **LAZARTE** told investigators that child pornography would be found on his laptop. He admitted using the “dark web,” a worldwide network of computers accessible only with specially created access software, since 2012. **LAZARTE** defined child pornography as children from age five to eleven. **LAZARTE** advised that child pornography involves children touching themselves, children having sexual contact with other children, and children having sexual contact with adults.

**LAZARTE** admitted he was on the “dark web” and accessed several forums. **LAZARTE** stated that he was interested in boys and girls primarily from five to ten years of age. **LAZARTE** admitted that some bestiality images would be found on his computer. **LAZARTE** also estimated that he had 100 videos and 300-400 images of child pornography currently on his computer in a folder. **LAZARTE** said he had used a peer-to-peer file exchange program in years ago but had not used it recently.

The following devices were seized pursuant to the search warrant and were later found to contain child pornography: a Sony VAIO laptop, serial number 275152333003362; a Dell Studio desktop computer, service tag #F7B5NK1; and a Simpletech 120GB external hard drive serial number 0712543120104066. On November 6, 2015, **LAZARTE** voluntarily surrendered the following device that was later found to contain child pornography: an A OPEN Desktop computer, serial number 24703463.

Forensic analysis of the Sony VAIO laptop seized during the search warrant revealed more than 2800 unique images and more than 340 unique videos containing child pornography material. There were more than 770 unique images and more than 26 unique videos of child pornography that included infants or toddlers. In total, there were more than 40 hours of child pornography videos recovered from the laptop.

**LAZARTE**’s laptop also contained LNK files (that show previous browsing activity) to child pornography content, including images and a video. There were Firefox browser bookmarks for at least four different sites known to traffic child pornography. Searches also included: “how to wipe a hard drive” and “how to securely delete files.” A browser install file to access the “dark



web” was located on the computer as was a peer-to-peer program used to transfer child pornography. Keywords used to search on the peer-to-peer program included: “thai boy,” “pthc,” “youngvideomodels,” “pedo,” “ptsc,” and “l gen.”

The following are examples of images and videos received by **LAZARTE** recovered from the Sony VAIO laptop computer seized during execution of the search warrant.

- **[True Pedo Zoo] jen 6y plays with dog.avi**: A nude prepubescent female wearing a collar performs oral sex on a dog. Created/Modified/Accessed Date: 11/1/2015.
- **PTHC – BabyJ 5yo Exib Fuck(48m58s).mpg**: This video appears to be a compilation video of the same prepubescent female partially dressed and nude masturbating herself, posing to expose her genitals, digitally penetrated by an adult male, and anally and vaginally penetrated by an adult penis. The tile of video is displayed at the start of the video as “Jack H’Off 2 Baby J”. Created/Modified/Accessed Date: 08/11/2015.
- **8yo blonde throat fucked by her daddy – original clip.mp4**: A prepubescent female wearing a red plaid shirt nude from the waist down performs oral sex on an adult male in a bathroom. During the video, the victim vomits at least twice on to the penis of the adult male who, at one point states “Okay. No more puking.” Created/Modified Date: 10/09/2015, Last Accessed Date: 10/12/2015.

Images and videos received by **LAZARTE** depict real children engaged in sexually explicit conduct. **LAZARTE** downloaded the images and videos of child pornography using the Internet, and such images and videos traveled in interstate and foreign commerce.

\* \* \*

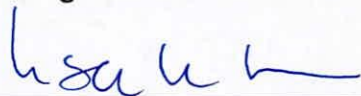
I have read this Statement of Facts, and have carefully reviewed it with my attorney. I understand it, and I voluntarily agree to it. I do not wish to change any part of it. I acknowledge that it is true and correct.

11-7-16  
Date

  
Daniel Lazarte

I am Daniel Lazarte’s attorney. I have carefully reviewed every part of this Statement of Facts with him. To my knowledge, his decision to sign it is an informed and voluntary one.

11-7-16  
Date

  
Lisa Lunt, Esq.